

REMARKS

This Amendment is being filed concurrently with an Appeal Brief. A typographical error in claim 27 has been corrected to place the application in better condition for appeal. Accordingly, entry and consideration of the amendment is respectfully requested.

Status of the Claims

Claim 27 was amended to delete "1-10%" for the other monosaccharides, as the previously filed amendment inadvertently recited "1-10%", which was not consistent with the originally recited range, and dependent claims.

Claims 27-29, 31-44, 48-50, 52 remain in this application.

Claims 31-34, 38 and 40 stand withdrawn.

Objections

Claim 28 was objected to for being of improper dependent form due of a typographical error in claim 27. As the error in claim 27 has been corrected with this amendment, withdrawal of the objection is respectfully requested.

Claim Rejections-35 USC §103

Claims 27-29, 35-37, 39, 41-44, 48-50 and 52 were rejected under 35 U.S.C. § 103(a) over QIU et al. U.S. 6,133,440

(QIU) in view of STRICKLAND et al. U.S. 5,824,659 (STRICKLAND), YARON et al. J. Agric. Food Chem 1992 (YARON), VILKAS et al. 1986, Biochimie, 68: 1123-1127 (VILKAS) and SHAND et al. U.S. 5,902,796 (SHAND).

The Appeal Brief concurrently filed with this amendment is fully responsive to this ground of rejection.

Conclusion

This application is in condition for appeal; entry and consideration of the amendment respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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